

**CHARGE:** 502(a)—when shipped, the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for arthritis, bursitis, rheumatism, headache, stiff neck, chest colds, croup, lumbago, neuritis, and neuralgia.

**DISPOSITION:** Therapeutic Laboratories, Inc., claimant, filed an answer denying that the article was misbranded. Thereafter, upon motion of the claimant for the removal of the case to a district of reasonable proximity to claimant's place of business, an order was entered on 3-3-59 for the removal of the case to the Eastern District of Texas. Written interrogatories were thereafter served upon the claimant, and upon claimant's default in answering such interrogatories the court entered a decree of condemnation and destruction on 10-27-59.

**6020. Vitamin and mineral capsules.** (F.D.C. No. 43283. S. No. 63-656 P.)

**QUANTITY:** 2 ctns. containing 26,500 capsules in bulk, and 88 30-capsule unlabeled vials, and 34 30-capsule labeled vials, at Holyoke, Mass., in possession of Vitamin Center.

**SHIPPED:** The vitamin capsules were shipped in bulk, on 3-17-59, from Newark, N.J.

**LABEL IN PART:** (Ctn.) "Vitamin Center Formula #76"; (vial) "Vitamin Center 30 capsules FORMULA #76 Vitamin A \* \* \* 12,500 USP Units 312% Vitamin D \* \* \* 1,000 USP Units 250% Vitamin B-1 \* \* \* 5 MGM 500% Vitamin B-2 \* \* \* 25 MGM 208% Vitamin B-6 \* \* \* 0.5 MGM \* \* \* Vitamin B-12 USP 1 MGM \* \* \* Vitamin C \* \* \* 75 MGM 250% Niacinamide USP 40 MGM 400% Calcium Pantothenate 4 MGM \* \* \* Vitamin E \* \* \* 2 I.U. \* \* \* Folic Acid USP 0.5 MGM \* \* \* DiCalcium Phosphate (A) 260 MG Calcium 75 MGM 10% Phosphorus 58 MGM Choline Bitartrate 31.4 MG Inositol 15 MG Di-Methionine 10 MG Ferrous Sulphate USP 102 MG Iron 30 MGM Cobalt Sulphate 0.193 MG Cobalt 0.04 MGM Copper Sulphate 1.257 MG Copper 0.45 MGM Magnesium Sulphate 1.573 MG Manganese 0.5 MGM Sodium Molybdate 0.253 MG Molybdenum 0.1 MGM Potassium Iodide USP 0.099 MG Iodine 0.075 MGM Potassium Sulphate 4.458 MG Potassium 2 MG Zinc Sulphate 1.388 MG Zinc 0.5 MGM Magnesium Sulphate 21.583 MG Magnesium 3 MGM \* \* \* Vitamin Center, Granby, Mass."

**ACCOMPANYING LABELING:** A guaranty card; leaflets entitled "The Magic Power" and "Yours for Good Health"; and form letters on the letterhead of the Vitamin Center plant, Granby, Mass., beginning with the words "Dear Friend: It is gratifying to know," "Dear Friend: If I could have had breakfast with you," "Dear Friend: We appreciate the opportunity"; and a number of loose vial labels.

**RESULTS OF INVESTIGATION:** The article in the vials was repacked by Vitamin Center from the bulk stock which was shipped as described above. The above-mentioned accompanying labeling was prepared by Vitamin Center.

**LIBELED:** 6-29-59, Dist. Mass.

**CHARGE:** 502(a)—while held for sale, the labeling of the article contained false and misleading representations that use of the article would produce general good health, vigor, greater and youthful energy, and zest for living; nourish and revitalize the body; develop stronger resistance to infection and colds, strength, and vitality; result in metabolism of fats and proper function of the liver; build and strengthen the blood and help nourish the organs of the body;

prevent muscle deterioration and tooth decay; result in staying young, retaining youthful pep and vigor, and growth; build strong bones and teeth, firm flesh, and develop rich, red blood; maintain health and energy; develop physical powers which wane in later years when metabolism slows down and assimilation of nutrients is improper; produce healthy skin and tissue, healthy nerves, and healthy nerve tissue; strengthen blood vessels, result in normal reproduction because it contains the sex vitamin, vitamin E; and, further, that the article was an adequate and effective treatment for and preventive of rundown feeling and tiredness; aches and pains; nervousness and depression; lowered resistance to disease; listlessness, loss of pep, headache, irritability to cope with the strain, stress and tension of everyday living; digestive upsets, dyspepsia, loss of weight, constipation, diarrhea, loss of appetite, palpitations, breathlessness, dizziness, anemia and neuritis; sinusitis, ear infections, poor vision, conjunctivitis, hypertension, roughened skin, impairment of muscular tissue, spastic colon, skin lesions, impairment of eye tissues, loss of hair, poor healing, skin troubles, nervous disorders, sore receding gums, bleeding, and loosening of teeth, soreness of joints, lowered resistance to tuberculosis, and stomach and intestinal disturbances.

The article was also alleged to be misbranded under the provisions of the law applicable to food as reported in notices of judgment on foods.

DISPOSITION: 9-14-59. Default—delivered to a public institution.

6021. Vitamin products. (F.D.C. No. 43554. S. Nos. 65-136/9 P.)

QUANTITY: 5 ctns., each containing 3 120-tablet btls. of *Eden Food Supplement*, 58 tins of *Eden High Protein Wafers*, 40 tins of *Eden Treat*, and 14 16-oz. cartoned btls. of *Eden Chlorophyll Solution*, at Salt Lake City, Utah.

SHIPPED: Between 5-8-59 and 7-6-59, from Sun Valley, Calif., by Garden of Eden Co.

LABEL IN PART: (Ctn. and btl.) "Eden Food Supplement A high potency Organic or Natural source dietary food supplement \* \* \* The Garden of Eden Company \* \* \* Sun Valley, California 10249"; (tin) "Contents 180 Wafers \* \* \* Eden High Protein Energy Wafers"; (tin) "Eden Treat \* \* \* From the Garden of Nature's Laboratory \* \* \* Contents: 16 ounces"; and (btl.) "16 Oz. \* \* \* Eden 100% Pure Chlorophyll Solution Each tablespoonful (15 cc) contains 100 milligrams pure chlorophyllins."

ACCOMPANYING LABELING: Phonograph records, side 1, "Nutritional Forum" and side 2, "Opportunity Knocks"; booklets entitled "Nutritional Forum Text Questions and Answers," "Opportunity Knocks," and "Your Guidebook to Better Living"; reprints from "Modern Nutrition June, 1958," and from "Reader's Digest" entitled "The Vitamins, The Food and Dr. Spies"; leaflets entitled "Why Feel Old?," "A Report on the Health of the Nation," "Let Me Put You Into Your Own Fast-growing business," "Hidden Hunger," "Eden Food Supplement," "High Protein Energy Wafers," "Eden Chlorophyll Solution," and "Eden Treat"; and starter kits containing promotional statements.

LIBELED: 9-28-59, Dist. Utah.

CHARGE: 502(a)—when shipped and while held for sale, the labeling which accompanied the article contained false and misleading representations that the Food Supplement was adequate and effective in the treatment or prevention of listless feelings; wornout feelings; unhealthy symptoms; ill health; dry skin; sallow looks; infection; fatigue; lethargy or weakness; hypersensitivity to noise; distorted heart rhythm; skin spots or inflammation; burning